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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/692,720	10/20/2000	Shunichi Sekiguchi	1163-299P	5613

7590 01/26/2007  
Birch Stewart Kolasch & Birch LLP  
P O Box 747  
Falls Church, VA 22040-0747

EXAMINER
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DIEP, NHON THANH

ART UNIT	PAPER NUMBER
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2621

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/26/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

09/692,720

Applicant(s)

SEKIGUCHI ET AL.

Examiner

Nhon T. Diep

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 2,3,5 and 24-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2,3,5 and 24-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 October 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

***Response to Arguments***

1. Applicant's arguments, filed 11/02/2006, with respect to the rejection(s) of claim(s) 2-3, 5, 24-30 under both 35 USC 102 and 103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Talluri et al (US 6,385,251). The examiner sincerely apologizes for any inconvenience caused.

***Claim Objections***

2. Claim 5 (page 15 of Appendix A), ln. 8 is objected to because of the following informalities: after "plural video segments"; "." Should be changed to ---... Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 2, 3, 5 and 24-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Talluri et al (US 6,304,607).

Talluri et al discloses an error resilient video coding using reversible VLC comprising the same method which receives a coded video stream, together with an error detection result indicating whether an error is contained in a coded stream in each

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packet, and decodes said coded video stream, wherein: said coded video stream is composed of plural pieces of compressed block coded data, said plural pieces of compressed block coded data are composed of plural kinds of data elements, said data elements of the same kind are arranged in succession over plural blocks, and said coded video stream is divided, at the point of change in the kind of said data elements arranged in succession, into said each packet (fig. 6a-6C and 7 and col. 2, ln. 52 – col. 3, ln. 51), said each packet being added, for each of said divided video coded streams, with an error detecting code for obtaining said error detection result; and upon detecting a decoding error at the time of receiving and decoding said coded video stream for said each packet, the position of said decoding error in said coded video stream is decided based on an error detection result received and error concealment is selectively performed based on said decided position of said decoding error or upon detecting a decoding error during decoding of said coded video stream received for each packet, the position of resynchronization is decided based on said unique code and said error detection result received together with coded data of said header information and resynchronization is performed from the bit position of error detection to a unique code indicating the beginning of the next block coded data (col. 1, ln. 67 – col. 2, ln. 9 and col. 4, ln. 3-6) as specified in claims 2 and 5; wherein: said plural kinds of data elements contain a data stream composed of motion vectors contained in plural blocks and a data stream composed of pieces of texture information contained in plural blocks; and, based on said error detection result received together with each data stream and the position of said decoding error detected in the decoding of said each data stream, it is decided

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whether to perform error concealment using decoded motion vectors or abandon said motion vectors and said texture data and perform error concealment (MV1 of fig. 6b or Motion vector data of fig. 7 and col. 1, ln. 51-56 and note that as shown in fig. 6a or 7, motion vector data is located between resynchronization marker) as specified in claim 3; wherein said plural kinds of data elements include coded macro block DCT coefficient data and motion vector data (DCT data of figs. 6a and 7) as specified in claim 24; wherein said coded video stream is divided into packets at points of change in the kind of said data elements so that motion vector data is provided in separate packets than macro block DCT coefficient data (fig. 7, motion vector data and DCT data) as specified in claim 25; wherein, based on the error detection result received for a packet containing motion vector data, said method abandons corresponding coded macroblock DCT coefficient data and performs error concealment (col. 4, ln. 3-6) as specified in claim 26; wherein said plural kinds of data elements further include coded video packet header data (fig. 7) as specified in claim 27; wherein, based on the error detection result received for a packet containing video packet header data, said method abandons corresponding coded macroblock DCT coefficient data and performs error concealment (col. 4, ln. 3-6) as specified in claim 28; wherein, said method performs error concealment for a packet containing coded macro block DCT coefficient data using motion information when a decoding error did not occur for the motion information (col. 4, ln. 28-29, only the corrupted MB is discarded not the motion information) as specified in claim 29; and wherein said plural kinds of data elements further include a

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resynchronization marker, which is detected during decoding to indicate the beginning of the next block coded data (fig. 6a, resynch marker) as specified in claim 30.

so would help to prevent error propagating into the next frames.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Ohki (US 4,651,206) discloses an inter-frame coding apparatus for video signal.

b. Sodagar et al (US 2002/0009232 A1) discloses an apparatus and method for packetizing significance-based information.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhon T. Diep whose telephone number is 571-272-7328. The examiner can normally be reached on m-f.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on 571-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ND  
1/21/2007

A handwritten signature in black ink, appearing to read 'Dhondiep', with a long horizontal line extending from the end of the signature.

**NHON DIEP  
PRIMARY EXAMINER**